PP4

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,409	10/03/2001	Matthew Shulman	213792	2545

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EXAMINER
INGBERG, TODD D

ART UNIT	PAPER NUMBER
2124	15

DATE MAILED: 08/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)	
Office Action Summary	09/970,409	SHULMAN ET AL.	
	Examiner	Art Unit	
	Todd Ingberg	2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 November 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _21-34_ is/are pending in the application.

    4a) Of the above claim(s) _1-20_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _21-34_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other:

U.S. Patent and Trademark Office

PTOL-326 (Rev. 04-01)   Office Action Summary   Part of Paper No. 15

DETAILED ACTION

1.   Status of case 09/970,409 - Allowance of December 3, 2002 has been revoked.

A non-final action on merits follows.

2.   Status of claims.

Claims 21 - 34 have been examined.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 21 - 34 are rejected under 35 U.S.C. 102(a,b) as being anticipated by Microsoft's

commercial product Visual Basic 5.0. The Visual Basic product version 5.0 is documented by

references from before and after the file date. All these documents were are drawn specifically to

Visual Basic 5.0 are considered prior art under *In re Epstein* 31 USPQ2d 1817 (decided August

17, 1994). Specifically, the features **"Auto List Members"** and **"Auto Quick Info"** from Visual

Basic 5.0 is the grounds of rejection. Also, noted is that Visual Basic™ is a standalone product of

Microsoft® as well as embedded in other Microsoft products such as Access™.

5. Grounds of Rejection Visual Basic 5.0 "**Office Developer Web Forum**" publish date October 14, 1996.

Microsoft Visual Basic 5.0 anticiaptes the claimed invention as documented in (Microsoft

Office™) Office Developer Web Forum Dated October 14, 1996.

The "**Auto List Members**" feature assists programmers in real-time (while writing code)

to modify a programming language statement (see the ability to recognize the object name and

list the members (methods) and properties (textual) of the object to the programmer), the

position is random (dynamic) in the sense you don't know where on the screen the programmer

will enter an object name automatically causing the list to appear. Visual Basic is initially

interpreted (partially compiling) , also the feature is "passive assist window" with a selection

menu the scroll down list contains a finite number of selections. The view is not disturbed given

the display starts after the name of the object. Once a selection is made the window disappears. It

should be noted the methods and properties of the object are defined by the programmer as part

of the programming process thus objects are user defined and the methods and properties in the

"**Auto List Members**" are user defined to reflect the possible selection and proper syntax of the

coding of program statements.

6. Grounds of Rejection Visual Basic 5.0 "**Office Developer Web Forum**" publish date October 14, 1996.

Microsoft Visual Basic 5.0 anticiaptes the claimed invention as documented in (Microsoft

Office™) Office Developer Web Forum Dated October 14, 1996.

The "**Auto Quick Info**" feature assists programmers in real-time (while writing code) to

modify a programming language statement (see the ability to recognize the proper syntax of the

member as it is displayed (textual) to the programmer), the position is random (dynamic) in the

sense you don't know where on the screen the programmer will enter an method name

automatically causing the display to appear. Visual Basic is initially interpreted (partially

compiling) , also the feature is "passive assist window" with a selection that is finite. The view is

not disturbed given the display starts after the name of the method and just below. Once a

selection is made the window disappears. It should be noted the methods and properties of the

object are defined by the programmer as part of the programming process thus objects are user

defined and the methods and properties in the **"Auto Quick Info"** are user defined to reflect the

possible selection and proper syntax of the coding of program statements.

7. Grounds of Rejection Visual Basic 5.0 **"Office Developer Web Forum"** publish date October 14, 1996.

Microsoft Visual Basic 5.0 anticiaptes the claimed invention as documented in (Microsoft

Office™) Office Developer Web Forum Dated October 14, 1996. The combination of use of

both **"Auto List Members"** and **"Auto Quick Info"** anticiapte the claimed invention as

described above and work with in Visual Basic 5.0.

8.   Claims 21 - 34 are rejected under 35 U.S.C. 102(a,b,e) as being anticiapted by

"Smalltalk-80 The Interactive Programming Environment" by Adele Goldberg of Xerox Palo

Alto Reseach Center (Xerox PARC). Published 1984.

Smalltalk-80 anticipates the claimed invention by providing Spelling Correction with the programming environemt (page 354) page 355 shows the unobscured view of a list of items to select from with the feature "correct it" a means of determining the most likely correction by searching known symbols in the system (page 355). The window closes automatically upon confirm of correction (page 356). Pages 358 - 362 show additional examples on spelling corrections in lines of program statements.

Chapter 17 from pages 364 - 374 show similiar functionality to the Spelling correction feature but in this example the syntax of the programming statemetns are the focus of the tool. In addition to the multiple lists of items to select from the Figure 17.2b on page 366 is of particular relevence. Please, note the unobscured view of showing the entry of "setinitialBalance amount and the programmer assistance on the lower right of the window. This is the confirmation of a newly defined method (the reference calls it a message).

Claims

The current claims are recited below as a courtesy. Also please note that the correspondance dated November 25, 2003 page 3 stated claims 25 - 35 were added. It is believed this is a typing error and claims 25-34 were added.

Claim 21

A computer-readable medium containing computer-executable instructions to perform a method

for assisting a computer programmer in real-time to modify a present programming language

statement of a computer program, the method comprising: enabling a programming language

editor having a character position cursor and a randomly positionable pointer; partially compiling

available ones of a plurality of programming language statements in said computer program;

defining a finite set of programming language statement information that is relevant to at least

one segment of the present programming language statement from among said plurality of

programming language statements that is proximate to said character position cursor which

allows modification of the programming language statement; and automatically generating a

passive assist window that contains at least one of selection menu information and said finite set

of programming language statement information in a location proximate to said character

position cursor that does not obstruct the current view of said programming language statement.

Claim 22

The computer-readable medium of claim 21, having further computer-executable instructions for

performing: modifying the present programming language statement based at least in part on the

selected programming language statement information; and automatically removing the passive

assist window when the programming language statement has been amended.

Claim 23

A computer-readable medium whose contents cause a computer system to supplement a

computer programming statement by performing the steps of: automatically displaying the

computer programming statement; and proximate to the display of an incomplete computer

programming statement, automatically displaying a dynamic list of one or more textural

programmatic entities.

Claim 24

The computer-readable medium of claim 23, having further computer-executable instructions for

performing: receiving a user input selection of one of the displayed textual programmatic

entities; and adding the selected textual programmatic entity to the displayed statement.

Claim 25

A method for assisting a computer programmer in modifying a programming language statement,

the method comprising: enabling a positionable cursor within a programming language editing

tool; automatically generating a passive assist window in response to the location of the

positionable cursor, the passive assist window containing programming language statement

information including at least one of selection menu information and information related to the

programming language statement.

Claim 26

The method of claim 25 wherein the passive assist window generates and disappears independent

of user intervention.

Claim 27

The method of claim 25 wherein the passive assist window permits a user typing the

programming language statement to type through the programming language statement

information, the passive assist window automatically altering the programming language

statement information in response to the typing.

Claim 28

The method of claim 25 wherein the passive assist window further provides one or more entries

for completing the programming language statement via automatic anticipation typing.

Claim 29

The method of claim 28 wherein the one or more entries are user-defined entries.

Claim 30

The method of claim 29 wherein the user-defined entries enable a plurality of users to modify

related programming language statements independent of prior sharing of information related to

the user-defined entries.

Claim 31

The method of claim 25 wherein the passive assist window is a pop-up window that disappears if

ignored by a user.

Claim 32

A computer readable medium containing computer executable instructions to perform a method

for assisting a computer programmer in modifying a programming language statement, the

method comprising: enabling a positionable cursor within a programming language editing tool;

and automatically generating a passive assist window in response to a location of the positionable

cursor, the passive assist window containing programming language statement information

including at least one of selection menu information and information related to the programming

language statement.

Claim 33

The method of claim 32 wherein the passive assist window generates and disappears independent

of user intervention.

Claim 34

The method of claim 32 wherein the passive assist window permits a user typing the

programming language statement to type through the programming language statement

information, the passive assist window automatically altering the programming language

statement information in response to the typing.
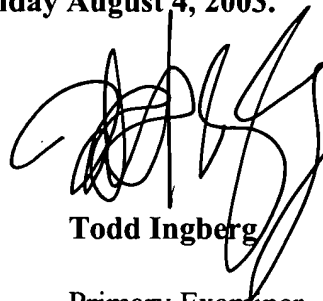
Correspondence Information

9.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to **Todd Ingberg** whose telephone number is **(703) 305-9775.** The

Examiner is working a Maxi-Flex schedule and can be reached Monday through Friday. If

attempts to reach the examiner by telephone are unsuccessful, the **Examiner's Supervisor,**

Kakali Chaki be reached at **(703)305-9662.** Any response to this office action should be mailed

to: **Director of Patents and Trademarks Washington, D.C. 20231,** or **Hand-delivered**

responses should be brought to **Crystal Park II, 2121 Crystal Drive Arlington, Virginia,**

(Receptionist located on the fourth floor), or **faxed.** The following **fax numbers** apply:

Official   **(703) 872-9306**

Please, Note the new FAX number as of Monday August 4, 2003.

Todd Ingberg

Primary Examiner

Art Unit 2124

August 13, 2003